IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ROGER MOORE,

Plaintiff,

CIVIL ACTION NO.

06-5391

MERCK & CO., INC.,

v.

Defendant.

IT IS HEREBY STIPULATED by and between the undersigned parties to this action, that the claims of Plaintiff Roger Moore in the instant proceeding be dismissed, with prejudice, and without costs or fees to either party.

Respectfully submitted,

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Attorneys for Defendant

Merck & Co., Inc.

Dated: April___, 2008

CERTIFICATE OF SERVICE

I hereby certify that on May 22, 2008, I served the foregoing Joint Stipulation of Dismissal with Prejudice on the following by U.S. Mail:

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